



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/442,791	11/18/1999	STEVEN D. IMS	RSW990108	6399

7590 04/23/2003

JEANINE S RAY-YARLETTS
IBM CORP DEPT T81 BLDG 062
P O BOX 12195
RESEARCH TRIANGLE PARK, NC 27709

EXAMINER

ALAM, UZMA

ART UNIT	PAPER NUMBER
----------	--------------

2157

DATE MAILED: 04/23/2003

2

Please find below and/or attached an Office communication concerning this application or proceeding.

8

Office Action Summary

Application No.

09/442,791

Applicant(s)

IMS ET AL. 

Examiner

Uzma Alam

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 November 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 November 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Art Unit: 2157

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 28 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 28 recites the limitation "the system" in claim 5. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Art Unit: 2157

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-4, 8, 9, 11-15, 19, 20, 22-26, 30, 21, 33, 34, 36, and 37 are rejected under 35 U.S.C. 102(e) as being anticipated by Gerra et al. US Patent No. 6,229,534.

As per claims 1, 12, and 23 Gerra discloses a method, computer program code with instructions for, and a system with means for, in a data processing system, comprising the steps of:

receiving, from a client, a request for a host screen (column 8, lines 1-10; column 9, lines 11-37);

navigating to the host screen (column 8, lines 9-23; column 9, lines 11-37);

retrieving the host screen (column 8, lines 9-43, lines 51-67; column 9, lines 1-52);

formatting the host screen into a formatted host screen (column 9, lines 37-52; column 10, lines 1-13, lines 23-30); and

sending the formatted host screen to the client (column 9, lines 37-52; column 10, lines 1-13, lines 23-30).

Art Unit: 2157

As per claims 2, 13, and 24 Gerra discloses the method, computer program code with instructions, and a system with means as recited in claims 1, 12, and 23 wherein the formatted host screen includes selectable links to other screens within a host system (column 10, lines 1-13).

As per claim 3, 14, and 25 Gerra discloses the method computer program code with instructions, and a system with means as recited in claims 1, 12, and 23 wherein the step of navigating to the host screen comprises retrieving at least one intermediate screen in order to retrieve the host screen (column 9, lines 11-51).

As per claims 4, 15, and 26 Gerra discloses the method, computer program code with instructions, and a system with means as recited in claims 1, 12, and 23 further comprising:

responsive to a determination that variable data is needed to navigate to the host screen, sending to the client a submittable form containing text fields that may be filled in by a user (column 8, lines 24-50); and

responsive to receiving the variable data from the client, using the variable data to retrieve the host screen (column 9, lines 37-52).

As per claims 8, 19, and 30, Gerra discloses the method, a computer program code with instructions, and a system with means as recited in claims 3, 14, and 25, wherein appropriate

Art Unit: 2157

entries are made in the at least one intermediate screen in order to navigate to the host screen (column 9, lines 11-37).

As per claims 9, 20, and 31, Gerra discloses the method, a computer program code with instructions, and a system with means as recited in claims 1, 12, and 23, wherein the formatting step formats the host screen into a markup language (column 9, lines 37-56; column 10, lines 1-13).

As per claims 11, 22, and 33, Gerra discloses the method, a computer program code with instructions, and a system with means as recited in claims 9, 20, and 31, wherein the markup language is a hypertext markup language (column 3, lines 50-67; column 4, lines 1-8; column 6, lines 1-9; column 9, lines 37-56; column 10, lines 1-13).

As per claim 34, Gerra discloses a macro bean for providing navigation between screens within a legacy host system, the macro bean comprising:

first instructions for receiving a request for a requested host screen from a legacy host system (column 8, lines 1-10, lines 24-43; column 9, lines 11-37);

second instructions for determining the current host screen (column 8, lines 1-22, 51-67; column 9, lines 11-37); and

third instructions for navigating to the requested host screen (column 8, lines 9-23; column 9, lines 11-37).

Art Unit: 2157

As per claim 36, Gerra discloses the macro bean as recited in claim 34, further comprising fourth instructions for entering appropriate data at intermediate host screens in order to access the requested host screen (column 9, lines 11-37).

As per claim 37, Gerra discloses the macro bean as recited in claim 34, wherein variable data received from a client is entered appropriately into one or more of the intermediate host screens (column 8, lines 24-50; column 9, lines 11-52).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 6, 16, 17, 27, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gerra et al. US Patent No 6,229,534 in view of Sealand et al. US Patent No 6,484,176.

As per claims 5, 16, and 27 Gerra discloses the method, a computer program code with instructions, and a system with means as recited in claims 1, 12, and 23 (see claims 1, 12, and 23

Art Unit: 2157

above), wherein the client is a data processing system (abstract, column 2, lines 54-67; Figure 1 and respective portions of the specification). Gerra does not disclose wherein the client is a portable data processing system. Sealand discloses a portable data processing system (abstract; column 2, lines 18-67; column 3, lines 1-12; column 4, lines 33-65). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the data processing system of Gerra with the portable data processing system of Sealand. One of ordinary skill in the art would have been motivated to do this to be able to access information from anywhere and at any time to get real-time information.

As per claims 6, 17, and 28 Gerra and Sealand disclose the method, a computer program code with instructions, and a system with means as recited in claims 5 and 16, wherein the portable data processing system is a wireless system (abstract; column 2, lines 18-54; column 4, lines 44-65; column 5, lines 28-67; column 6, lines 1-6).

Claims 7, 18, 29, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gerra et al. US Patent No. 6,229,534 in view of Kessenich et al. US Patent No 6,055,538.

As per claims 7, 18, and 29, Gerra discloses the method, a computer program code with instructions, and a system with means as recited in claims 3, 14, and 25 (see claims 3, 14, and 25 above). Gerra does not disclose wherein the intermediate screen is not presented to the user.

Art Unit: 2157

Kessenich discloses not displaying the intermediate screens to the user (abstract; column 9, lines 16-55; column 10, lines 25-61; column 13, lines 26-55; column 14, lines 36-67; column 15, lines 1-10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the intermediate screens of Gerra with not displaying the intermediate screens of Kessenich. One of ordinary skill in the art would have been motivated to do this to be able to search databases and host systems rapidly.

As per claim 35, Gerra discloses the macro bean as recited in claim 34. Gerra does not disclose wherein the intermediate screen is not presented to the user. Kessenich discloses not displaying the intermediate screens to the user (abstract; column 9, lines 16-55; column 10, lines 25-61; column 13, lines 26-55; column 14, lines 36-67; column 15, lines 1-10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the intermediate screens of Gerra with not displaying the intermediate screens of Kessenich. One of ordinary skill in the art would have been motivated to do this to be able to search databases and host systems rapidly.

Claims 10, 21, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gerra et al. US Patent No 6,229,534 in view of Vermeire et al. US Patent No. 6,209,124.

Gerra discloses the method, a computer program code with instructions, and a system with means as recited in claims 9, 20, and 31 (see claims 9, 20, and 31 above). Gerra does not disclose wherein the markup language is an extensible markup language. Vermeire discloses the

Art Unit: 2157

use of an extensible markup language (abstract; column 5, lines 41-61). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the markup language of Gerra with an extensible markup language of Vermeire. One of ordinary skill in the art would have been motivated to do this to be able to be able to send and receive different types of data, such as multimedia data and information, from the host system.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Robbins et al. U.S. Patent No. 6,532,463.

Lecton et al. U.S. Patent No. 6,446,110.

Butts et al. U.S. Patent No. 6,233,543.

King et al. U.S. Patent No. 6,014,702.

Butts et al. U.S. Patent No. 6,216,101.

Anderson U.S. Patent No. 6,363,398.

Mutschler, III et al. U.S. Patent No. 5,940,075.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uzma Alam whose telephone number is (703) 305-8420. The examiner can normally be reached on Monday - Friday 8:30 - 5.


Art Unit: 2157

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 308 - 7562. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-9052 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

ua

April 15, 2003


ARIO ETIENNE
SUPERVISOR/PATENT EXAMINER
TECHNOLOGY CENTER 2100